



TOWN OF NEW WINDSOR

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OFFICE OF THE PLANNING BOARD

WEDNESDAY -- DECEMBER 12, 2007 - 7:30 PM
TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED: September 26, 2007
October 10, 2007
October 24, 2007
November 14, 2007

ANNUAL MOBILE HOME PARK REVIEW:

- a. SILVER STREAM MOBILE HOME PARK

ZBA REFERRAL:

- 1. SCREEN GEMS SITE PLAN (07-31) WINDSOR HIGHWAY (COPPOLA)
Proposed two-story addition to existing building for additional retail/office space.

REGULAR ITEMS:

- 2. WAREX TERMINALS / EASTERN HARBOUR ASSOC. (07-28) RIVER ROAD
(SHAW) Proposed commercial lot line change.
- 3. SISTERS OF THE PRESENTATION (07-15) JACKSON AVENUE (NEILER) Proposed
convent housing and place of worship
- 4. MEADOWBROOK ESTATES SUBDIVISION (01-42) RT. 94 & MT. AIRY ROAD
Proposed 90-lot residential subdivision
- 5. CREEK VIEW MOBILE HOME PARK (formerly Thompson) (07-32) WALSH AVE.
Proposed renovation of existing mobile home park.
- 6. ORLEANS HOMEBUILDERS LOT LINE CHANGE (07-30) (Former Middle Earth
Sub.) STATION ROAD (MASER) Proposed Residential Lot Line Change

DISCUSSION

ADJOURNMENT

(NEXT MEETING - JANUARY 16, 2008)

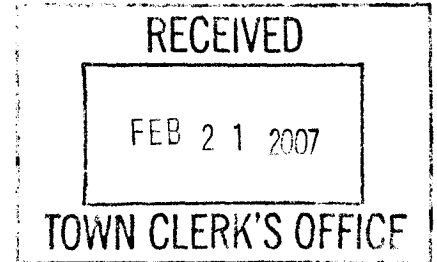
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TOWN OF NEW WINDSOR

PLANNING BOARD

DECEMBER 12, 2007



MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
NEIL SCHLESINGER
HOWARD BROWN
DANIEL GALLAGHER
HENRY SCHEIBLE

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

MYRA MASON
PLANNING BOARD SECRETARY

DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

ABSENT: HENRY VAN LEEUWEN

REGULAR_MEETING

MR. ARGENIO: I'd like to call the December 12, 2007 meeting of the New Windsor Planning Board meeting to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

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MR. ARGENIO: Henry Van Leeuwen is not here tonight, he called in and I don't know if he's ill or got something with his wife so Mr. Scheible will be up here in his place. We're going to skip the approval of the minutes because we just received them, they were just distributed to us this evening and we'll defer that to the next meeting which will be the first meeting of the new year.

ANNUAL_MOBILE_HOME_PARK_REVIEW:

SILVER_STREAM_MOBILE_HOME_PARK

MR. ARGENIO: First item is the annual mobile home park review, it's Silver Stream Mobile Home Park. Is somebody here to represent this? Can I have your name and your address, sir, for the benefit of the stenographer?

MR. MIRATORI: Tony Miratori, 9 Bivona Lane, New Windsor.

MR. ARGENIO: Mike, has somebody from your office been out to take a look around?

MR. BABCOCK: Yes, they have, everything is fine there.

MR. ARGENIO: Do you have a check made out to the Town of New Windsor for \$670 with you tonight?

MR. MIRATORI: Yes.

MR. ARGENIO: Inasmuch as everything seems to be in order at that park, I'll accept a motion that we offer them one year extension.

MR. BROWN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: If there's no further discussion from the board members, I'll have a roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |

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MR. ARGENIO AYE

MR. ARGENIO: We'll see you in a year and it's nice to hear that you have a clean and neat shop there.

ZBA_REFERRAL:

SCREEN_GEMS_SITE_PLAN_(07-31)WAREX_

MR. ARGENIO: ZBA referral.

Mr. Anthony Coppola appeared before the board for this proposal.

MR. ARGENIO: Just to clear up for the record the confusion some of the members had an updated agenda, some of them didn't have the latest agenda, what I had directed Myra to do earlier today or I had Mark directed to do was to move Screen Gems to the top of the list because it's a ZBA referral and typically they're simpler than the normal reviews. So that's why they've been moved to the top of the list. Mr. Coppola is here to represent Screen Gems. Application proposes two story addition to the existing building on the triangular property. Plan was reviewed on a concept basis only. They're here for a zoning board referral because they need some variances. For the benefit of the members, this is the place out in front of where Argenio Brothers is, used to be the old Calvet Tool Rental a hundred years ago, remember that, Hank, right next to the medical building? Anthony, tell us what kind of variances you're looking for then we're going to ask you a few questions but keep in mind we'll see this again, another couple three times, whatever it's going to take to get it right. So go ahead, Anthony.

MR. COPPOLA: Thank you, Mr. Chairman. Real quickly, what we're proposing is 20 foot by 30 foot two story addition to the existing one story building at Screen Gems. What's unusual about this it's a very odd shaped lot, kind of long and triangular, there are basically existing curbs that I think DOT put in at one point, they're around the corner, around Ruscutti. Basically, this is on the corner of Route 32 and Ruscutti. Basically, we have been able to make certain things

conforming and certain things are not conforming. The parking we have basically been able to fit on the site that's conforming, although the kind of the existing ingress egress off Route 32, those curb cuts are basically there and we're going to use those to kind of maneuver in and out of these parking spaces.

MR. ARGENIO: Can you tell me specifically what variances you're going to be looking for?

MR. COPPOLA: Sure, I believe we're looking for four variances all outlined in the asterisk on the bulk table. The first is the proposed lot area which is non-conforming, that's 10,890 square feet, the front yard is 11 foot 7, that's the pre-existing dimensions of the corner of the existing building, the rear yard is essentially on and over the existing building is encroaching on the railroad, so the rear yard setback was measured as a function of the height of the building so it's zero, I think it's basically zero so we need a variance for that. And also the maximum building height, I'm sorry, the maximum building height is a function of the setback, so that's 24 feet and we need a variance for that. So basically lot area, front yard setback, rear yard setback and maximum building height, those four variances, that's it.

MR. ARGENIO: Guys, the back of that buildings faces the railroad tracks where he has the zero setback and beyond the railroad tracks is my building, our building, myself and my partners. Does anybody, Anthony, I'm going to hit on a couple things briefly, the scale, this is under Mark's comments, scale on the plan would seem incorrect, 20 scale is indicated, measurements indicate 10 scale, need to clean that up.

MR. COPPOLA: I think it's 10 scale but it's incorrectly labeled.

MR. ARGENIO: Want to see floor plans.

MR. COPPOLA: Yeah, sometimes people do, planning boards want to see them, sometimes they don't.

MR. ARGENIO: You've been here plenty of times, we're on the list of people that don't want to see floor plans, typically after we receive complete and accurate set of plans to review we'll perform a complete review of the proposed application. Is your client here?

MR. COPPOLA: I don't think so, no.

MR. ARGENIO: Anybody have anything on this?

MR. SCHLESINGER: New building's going to be used for retail space?

MR. COPPOLA: Yes, going to be used as an extension of his office so part of the first floor.

MR. ARGENIO: Not retail, what is it going to be retail or office?

MR. COPPOLA: Well, his existing facility is retail, that's what we have classified it as, there's going to be basically the addition is going to be an extension of that where he's going to put offices into and there's going to be an office upstairs.

MR. ARGENIO: When you come back to see us, make sure you show the doors on the new addition and any walks you're going to put in there clearly enunciated, in addition to Mark's clean-up issues. Hank or Howard?

MR. GALLAGHER: Nothing now.

MR. SCHLESINGER: No.

MR. COPPOLA: Actually, let me ask one question about those parking spaces 15 and 16, Mark, I understand it's

tight there with 17 foot 5 but if I can't make those conforming am I going to ask them for a variance?

MR. EDSALL: That was a question I was going to point to the chairman on. My suggestion is that you possibly ask the applicant to label 15 and 16 as employee parking and that way it's not really as important that you've got full complying backout, otherwise, he's going to have to ask for a variance if you don't permit those two parking spaces.

MR. ARGENIO: That's a good idea. I would offer to the other board members that I drive passed this thing all the time and there's never more than one or two parked cars in the lot at any time, three at the absolute most.

MR. BABCOCK: It's all phone business.

MR. ARGENIO: The only people that are there is when they--

MR. EDSALL: Once you approve retail six months from now they can move out and different type of retail can go in.

MR. ARGENIO: I don't have a problem. My point is that making the employee spots I think is a good idea.

MR. EDSALL: They need every spot they can get, if you keep them and make them employee they won't need to ask for a bigger variance.

MR. ARGENIO: Good idea.

MR. SCHEIBLE: Two stories, just curious, maybe you said it before the bottom floor is going to be added onto the present business?

MR. COPPOLA: The printing business, that's correct.

MR. SCHEIBLE: Second story rented out office?

MR. COPPOLA: It's being set up to be independent so he may use it or he may rent it out, but we set it up with a side door for that purpose.

MR. ARGENIO: Henry, he's bursting over there, I suspect he's probably going to use the space, the one bottom of it is a basement and it's full of shirts in every corner of the building, I mean, if somebody sees fit I will accept a motion that we deem this application incomplete at this time.

MR. SCHLESINGER: Make the motion that the application is incomplete, refer it to the Zoning Board of Appeals.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare Screen Gems site plan application incomplete at this time. If there's no further discussion from the board members, I will have a roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Anthony, you have been referred to the zoning board, please take the time to do the clean-up items that we advised you on tonight that Mark picked up on and the things that we just talked about with the doors, especially you have to have a good picture in our mind and show us where the paving is going to be cause I know that whole lot is shale, indicate to us

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what you're going to do or not do when you come back for a full planning board review. Okay, thank you.

MR. COPPOLA: Thank you.

REGULAR_ITEMS:

WAREX_TERMINALS/EASTERN_HARBOUR_ASSOCIATES_(07-28)

MR. ARGENIO: Warex Terminals on River Road represented by Mr. Shaw, Jr. The application proposes conveyance of approximately .854 acres from Warex lot 7.2 to Eastern Harbour lot number 77. The plan was previously reviewed at 10 October, 2007 meeting. What do you have for us tonight, Greg?

MR. SHAW: Since I was here previously on October 10, this lot line change is currently on the state highway, I was referred out to the Orange County Department of Planning and it's 30 days have passed so I'm here looking for a negative dec and a lot line change approval.

MR. ARGENIO: Okay, we received a response from them, it was seven pages, I'm only kidding, we received a response and they have indicated local determination, so that should be fine. Go ahead, tell us what you're looking for.

MR. SHAW: Basically, this is going between Warex Terminals and Eastern Harbour. Currently Warex Terminals owns this L-shaped piece of property and they are conveying this strip, this leg, whatever you'd like to call it to the lower piece right here and that's pretty much it.

MR. ARGENIO: It would seem to me the intent is to link the two parcels, is that right?

MR. SHAW: Right, and also so he has access to Walsh Road at some point in time.

MR. ARGENIO: At the 10 October meeting, I don't know who was here for that meeting but there really was not a lot of discussion on it, it's very simple, it's more

procedural, quite frankly, than anything else. If anybody sees fit, I'll accept a motion for negative dec on this application.

MR. SCHLESINGER: Motion made.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative dec under the SEQRA process for the Eastern Harbour Associates lot line change. Roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Bulk table is now complete. Prior to submitting final plan, the applicant's surveyor should verify the lot width values for the Eastern Harbour lot. Are you okay with that, Mr. Shaw?

MR. SHAW: Yes.

MR. ARGENIO: If you get final approval, it will be subject to that. Mark, am I missing anything?

MR. EDSALL: No, they're in good shape.

MR. ARGENIO: I will accept a motion if somebody sees fit.

MR. SCHLESINGER: Make a motion for final approval for the Eastern Harbour Associates.

MR. BROWN: Second it.

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MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer final approval for Eastern Harbour Associates on River Road lot line change. If there's no further discussion from the board members, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Thank you, Mr. Shaw.

SISTERS_OF_THE_PRESENTATION_(07-15)

MR. ARGENIO: Sisters of the Presentation of the Blessed Virgin Mary site plan on New York State Route 207 and South Jackson Avenue. The application proposes group residence complex for the nuns, I would assume at the south end of the property. The plan was previously reviewed at the 23 May, 2007 planning board meeting. Sir, you're here to represent this?

MR. NEILER: Eric Neiler representing the project.

MR. ARGENIO: Okay, go ahead, tell us what you've done since the last time you've seen us and what information you have to share with us tonight.

MR. NEILER: We can go through Mark's comments, we have continued to develop the site plan, we have submitted a complete set of site plan drawings, a SWPPP. We have our applications in to the Orange County Health Department. Looking at Mark's comments I guess responding to those we have--

MR. ARGENIO: I'll hit the comments, tell us about the plan.

MR. NEILER: I guess changes to it really are that we have moved the administration building from this side of the road to this side to cut down the number of buildings as we have worked on the density and tried to fine tune it, also simplifies the site design, makes it economical and consolidated. There's an extensive landscaping that's not so much represented on this drawing but there are new plantings and trees along the internal side of the sidewalk, we have kind of finalized the well locations which were out here, we have completed our septic system design and it's been submitted to the Health Department.

MR. ARGENIO: Can I just ask you a question and I don't

know, maybe the other guys are thinking the same thing, I'm looking at drawing T-A here which is the same or AZ-100, what drawing do you have up?

MR. NEILER: AZ-101.

MR. ARGENIO: Is that a picture of the whole parcel AZ-100 and AZ-101 is a more consolidated?

MR. NEILER: Correct, AZ-100 shows their entire property and AZ-101 focuses on the property, there is no work outside of this area on the property.

MR. ARGENIO: You're not proposing anything outside of that?

MR. NEILER: No, septic system goes here, wells are out here per the direction of the Health Department that they be 200 feet away from the buildings. Really the changes have been just the development of this concept and some changes to the roadway we had initially started off with a 30 foot road which went down to 20 feet but in talking to the fire services it seemed like it would be impossible to make two way roads 24 one way roads 18 and fire lane just at this building but I guess in speaking with Mr. Bedetti either reconsidered or had a different view when he looked at the drawings more and just recently asked us to make this road 30 foot wide in front of this building so I think we're going to be making this connecting it to make it simpler from here to here.

MR. ARGENIO: He typically looks for that.

MR. NEILER: Although this would remain 24 feet because it's not actually a fire lane but from this point to this point that would be 30 feet so we're going to have to revise where this parking is because of that use.

MR. ARGENIO: Understood, not a problem.

MR. NEILER: We've worked considerably on the appearance of the buildings, although I guess that's not critical to the process but it's critical to our process and it's an idea about making all the buildings sort of work together as a complex of buildings using very simple forms, kind of would probably be Shaker architecture, very simple agricultural buildings and easy to maintain and also sort of with a dignity and a presence that's appropriate for the project type.

MR. ARGENIO: Certainly not required to bring the architecturals but we like to see them.

MR. NEILER: This is kind of a snapshot because it doesn't reflect the fact that the parking has to shift around a little bit. We did review a number of buildings, so the administration building goes here now and we, there were two 2 bedroom homes here which are now replaced by one 4 bedroom and we now have four bedrooms and one 5 bedroom and these are also 4 bedrooms, sort of simplifies the building.

MR. ARGENIO: Do you meet the parking requirements?

MR. NEILER: Yes, initially, we were asked to look at each building type and relate the parking to the building type and that's how we came up with a parking count. Again, I thought it was all residence, well, it's all residence, but this is the closest building type that this comes to is a, well, it's an assisted living, it's a 10 bedroom house but in the guide the closest building type appears to be assisted living nursing home which has one parking requirement which is different from the residential.

MR. ARGENIO: Which one's more stringent?

MR. NEILER: Actually these are, these are two spaces per dwelling and this is working from memory, well,

total is about 8 spaces because there's I guess one for every two bedrooms.

MR. ARGENIO: We're okay with that?

MR. EDSALL: Yes, I mean, this is kind of a unique thing, the board probably has some flexibility.

MR. ARGENIO: It's for retired nuns, my aunt is a nun.

MR. EDSALL: No, that's what I'm saying I think the lesser number makes a lot of sense.

MR. ARGENIO: There's nobody there when we go to visit her down in Westchester, nobody's ever there.

MR. BABCOCK: It's not clear in the code, that's the problem, it's not clear in the code.

MR. ARGENIO: You're applying the lesser.

MR. BABCOCK: So we're just picking out whatever seems to work.

MR. ARGENIO: Mark has a comment here that it went to Orange County Planning and their response was to include an internal sidewalk, let me finish please, first of all, Dominic, unless I'm missing something, I thought that the purpose of that was more global intermunicipal issues with the county, explain to me how that ties to an internal sidewalk loop which appears to me is there or almost there. Can you shed some or Mark shed some light on that for me please?

MR. CORDISCO: Well, we've had this discussion quite a few times, theoretically, the General Municipal Law referral to the County Planning Department is to ensure that there's an agency at the county level that's overseeing intermunicipal concerns, in other words, make sure that something that's going on in New Windsor

isn't having a negative affect on Hamptonburg, for instance, you know. But nevertheless, once you get it to the county Planning Department, they look at it, they have comments, they think they're being helpful and it's up to this board whether or not you want do abide by the comments.

MR. ARGENIO: It appears to, I think unless my contemporaries disagree, I think they have that sidewalk, that internal sidewalk, looks like there's access from the parking lots to the building's step, that one building is a little remote on the lower right-hand side, going to have parking down there.

MR. BABCOCK: It's not on that plan, Mr. Chairman, on the other plan it is, it's just on that plan.

MR. ARGENIO: Okay, good.

MR. SCHLESINGER: I'm a little confused about a couple things. Does this facility have anything to do with the facility that's on 207?

MR. NEILER: It's the same order, yes, they're going to be renting out those buildings to actually the same tenants that are using them now for the educational purposes.

MR. SCHLESINGER: Do the people who are going to be living there, did they work in the other facility?

MR. NEILER: They currently reside, no, the sisters who currently live at the other facility will be moving to this facility.

MR. SCHLESINGER: Second question is that this facility, the entire facility is just for living purposes?

MR. NEILER: This entire facility?

MR. SCHLESINGER: Yes.

MR. NEILER: That's correct.

MR. ARGENIO: Probably a church.

MR. SCHLESINGER: There's a chapel that's there.

MR. NEILER: Which is for the use of the sisters who live there, it's open to the public as the one here now is.

MR. SCHLESINGER: And is that chapel open to the public?

MR. NEILER: Yes, it is.

MR. SCHLESINGER: You have services on Sunday morning members can attend that service?

MR. NEILER: That's correct, I believe that happens now.

MR. SCHLESINGER: And is that relative to all the parking and everything, Mark?

MR. EDSALL: Well, I think historically the size of the chapel, chapel is more for specific guests of the sisters, I don't know that it's--

MR. NEILER: It's a 30 seat chapel.

MR. EDSALL: Some of the spaces that aren't used for the individual units for the residential, one of the sisters may not have a vehicle, probably used by a guest if they come on Sunday or come to visit.

MR. SCHLESINGER: The facility where the chapel is located that would be used as assisted living for maybe

somebody that's not--

MR. NEILER: Correct, 10 bedrooms with some common living areas, living and dining and the chapel which is for the use of everyone that lives here as well as being open to the public and there's also an administration building 4,600 square feet where some of the offices for the director of development, treasurer, some administrative functions that are for the order will be located here and some of the people that work in this building will live in this complex and live elsewhere.

MR. ARGENIO: Howard or Danny or Henry, if you have anything please we're going to see them again, they're still waiting for approvals from some other agencies. I'm curious, Mark, what tripped New York State Office of Parks, Recreation?

MR. EDSALL: I think it was a domino effect, it went to the health department, health department got DEC involved, DEC as a box they have to check refers it to Parks, Recreation, Historic Preservation so unfortunately, it's been to all of them. Just while I'm updating you on those approvals we've heard back from planning, so we've got that out of the way but health department, DEC and Parks Recreation are going to be looking for a negative dec which is the primary reason they're before you tonight so we can get that.

MR. ARGENIO: I don't see why we can't go there.

MR. EDSALL: One of things I want in the record is that it was referred to the City of Newburgh back on the 14th, they apparently had some difficulties locating the package but I was able to follow up on that and they are in fact reviewing it and I pointed out to them that the slope of the land is such that it's in all likelihood tributary toward Beaver Dam Lake which is not their watershed but nonetheless because the Health

Department has to hear from them we're stuck waiting for a response.

MR. ARGENIO: So Hauser's going to write us a letter.

MR. EDSALL: It's going to come out of the city manager but nonetheless, I did follow up on that but I would recommend that so as to make it possible for them to go back to these other agencies that you authorize the negative dec.

MR. ARGENIO: I think you're right, Mark, let's get the letter on file, I think that's wise to do. You guys have anything?

MR. SCHEIBLE: I think that they're on the right track here, rather than have 400 condos put back there and it keeps the country atmosphere the way it should be kept.

MR. ARGENIO: Henry, well said.

MR. SCHEIBLE: By the concept, the drawing concept.

MR. ARGENIO: Lot of space, court yards, open area, I couldn't have said it better. I'll accept a motion that we declare negative dec for the sisters. Anybody?

MR. SCHLESINGER: So moved.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative dec under the SEQRA process for the Sisters of Presentation of the Blessed Virgin Mary on South Jackson Avenue. Roll call.

ROLL CALL

MR. SCHEIBLE AYE

MR. BROWN AYE
MR. GALLAGHER AYE
MR. SCHLESINGER AYE
MR. ARGENIO AYE

MR. ARGENIO: You guys see anything else you want to comment on this? Pretty straightforward, I think.

MR. BROWN: Fire inspector has addressed the width of the road.

MR. ARGENIO: He's got 30 foot in the area of the buildings, that's to set up a ladder truck.

MR. NEILER: Also just maybe I can clarify, I spoke to John McDonald about 911, he didn't say it was disapproved, he said that he needed a street name.

MR. ARGENIO: Take care of it.

MR. NEILER: We will.

MR. ARGENIO: Thank you for coming in.

MR. CORDISCO: We'll prepare a negative declaration and it will be on file and we'll provide a copy to your attorney as well.

MR. NEILER: Thank you.

MEADOWBROOK_ESTATES_SUBDIVISION_(01-42)

MR. ARGENIO: Meadowbrook Estates, proposed 90 lot subdivision. The application is for a 90 lot single family residential subdivision in the Town of New Windsor, 90 lots total. The plan was previously reviewed at the 13, May, 2002, 14 August, 2002, 23 April, 2003, 25 June, 2003 and 10 September, 2003 planning board meetings. As my predecessor used to say, I want to send it a Christmas card. In any event, I'm going to have Mark speak to this a little bit, bring you guys up to speed. These folks have done a lot of work to bring this thing along. Mark's comments may seem like there's a lot of pages and a lot of words there but him and I spoke about this a while back and I asked him to try to enunciate the history in the most efficient and effective way that he can because a lot of board members haven't been here for 10 years or six years or five years or extended period of time. So he's done that. His item number 1 I'm going to give you a second, his item number 1 lists all of the approvals and such that have been achieved over the past six or seven years. His item number 2 lists the actions that this board has taken to bring this project along to this point, that's it, you can have it.

Mr. Ross Winglovitz appeared before the board for this proposal

MR. ARGENIO: I asked him to do that but a lot of times when there's a tremendous amount of comments it doesn't bode well for the applicant and I want to point out that I asked for those comments so Henry and Howard and Danny and Neil could have the benefit of that information.

MR. EDSALL: None of the comments, I will just put in the record, none of the comments that are on here or comments of things that need to be done, they're more as you indicated a history for two purposes, to help

the board and also our attorney in preparing the resolutions, wasn't around for all this fun, ongoing effort, so he needed some background so--

MR. ARGENIO: They went through quite a substantial review over a couple three years.

MR. EDSALL: The only action I think, I believe subject to correction from Dom having looked at my list that I believe you need to do is to formally waive the final public hearing because the plans are substantially the same as those of the preliminary public hearing. Other than that, they're in my opinion ready for a conditional final approval and I do appreciate Myra's help and Ross' help getting this history logged in because it was quite a bit of activity.

MR. ARGENIO: It was and as I said for the benefit of the other members this was, certainly went through the mill and back again and they received preliminary approval based on their plans and they have been getting DEC and you name it, this agency, that agency and the other agencies approval. So having said that, I will--

MR. BABCOCK: Used to be part in Cornwall now it's all in New Windsor.

MR. ARGENIO: We annexed that property and now it's--

MR. EDSALL: The 16 lots you started to refer to were the lots that used to be in Cornwall, they're now part of the Town of New Windsor.

MR. CORDISCO: Mr. Chairman, I prepared a resolution granting final approval, it incorporates the salient points that Mr. Edsall has put together.

MR. ARGENIO: Certainly this is largely procedural in nature but if anybody has any questions about it that's

the purpose of this venue here. Ross, do you have anything else to add?

MR. WINGLOVITZ: No, just summarizing what you said, we have been here since 2001, spent three or four years to get preliminary approval, went off, got all our state, county approvals, Department of Transportation approval for left turn lane, DEC approval for sewer, Department of Health approval for water, Department of Health approval for the subdivision, annexation was carried out, water district extension was perfected, sewer district extension was perfected and the developer has met with the Town Board regarding the project over those many years and now we're here requesting additional final approval.

MR. ARGENIO: Mark has worked very hard on this with Ross Winglovitz and I know Jimmy Petro before me put a lot of effort into this.

MR. EDSALL: One other important detail is that the applicant is proposing to file the plat in sections which is I guess also called phasing in some circumstances but the mechanism in the state law which I'm not as familiar with as Dom, Dom has included in the resolution the mechanism to do that phased plat filing and Ross and I are trying to work out with the county department and County Clerk's Office an efficient way of filing it in contrast to some ways that it was done in the past.

MR. CORDISCO: For the larger project like this where you have 90 homes, filing the plat in sections allows them and it's not ever a long period of time, it's only over a period of three years but at least it gives them some way to ease into the project and also ease into the fact that on day one, 90 individual residential lots aren't created and taxed as individual residential lots. It's going to take some significant amount of time for them to be able to build those out, so this is

something that's allowed under state law, we provided an appropriate mechanism to make sure that the infrastructure will be reviewed on a phase by phase basis and that the bonds will be in place, the offers of dedication will be in place prior to the filing of the individual sections.

MR. ARGENIO: As I said, guys, this is largely procedural, this has been reviewed and reviewed. Danny, do you have any thoughts?

MR. SCHLESINGER: All procedures were followed, it was reviewed and reviewed and reviewed.

MR. ARGENIO: They received preliminary approval.

MR. GALLAGHER: The smallest lot is one acre?

MR. WINGLOVITZ: Correct.

MR. ARGENIO: That's because--

MR. WINGLOVITZ: There was an agreement originally which was proposed for 181 and there was an agreement worked out with the town to only develop 90 lots and that they will be at least one acre in size.

MR. ARGENIO: I think it predates that law doesn't this application?

MR. WINGLOVITZ: Yes, this predates the zoning change.

MR. ARGENIO: Henry or Howard?

MR. SCHEIBLE: Since this predates my tour of this board, I only have, was there ever, I mean, you might bring me down, was there ever a mention on sidewalks brought into this project?

MR. ARGENIO: Mark?

MR. EDSALL: I don't believe so and I think that during the six year period sidewalks were in disfavor then became in significant favor and now have become in disfavor so--

MR. SCHEIBLE: What did they say the average house is 2.4 children per unit and here you have 90, so you have 180, well over 200 children that could be occupying this neighborhood here and they would all have to be riding their bicycles or tricycles on the streets. I just want to put my two cents into that and that's, I just want to show you what my, since this is long way before I came back onto the board.

MR. ARGENIO: You're a fan of sidewalks.

MR. SCHEIBLE: Pardon?

MR. ARGENIO: You're a fan of them.

MR. SCHEIBLE: Yes, so you're talking about well over 200 children could be living here and I mention the word tricycle and bicycle having to ride on the streets.

MR. ARGENIO: Five wheels, okay, duly noted.

MR. SCHEIBLE: That's my plan.

MR. BROWN: No comments.

MR. ARGENIO: Okay, I'm going to move this along and Henry, your comments don't fall on deaf ears, we've had this conversation before and we have similar and dissimilar thoughts on it. I tend to go away from sidewalks on the west end and you want them and that's the beauty of a board.

MR. SCHEIBLE: Yeah, but the, because we call this

urban development 20 years from now I said that previously this will not be looked at as an urban section of town, this will be a small city out there.

MR. ARGENIO: It won't be suburb, it will be more urban 20 years from now.

MR. SCHEIBLE: Yes.

MR. ARGENIO: I'm going to attempt to move along with some of these procedural things here. Anybody sees fit I will accept a motion that we waive the final public hearing for this.

MR. SCHLESINGER: We had a public hearing?

MR. ARGENIO: Yes, two.

MR. SCHLESINGER: Nothing has changed, right?

MR. ARGENIO: No.

MR. SCHLESINGER: Make a motion to waive final public hearing.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board waive the final public hearing for Meadowbrook Estates major subdivision off Route 94. No further discussion, roll call.

ROLL CALL

| | |
|-----------------|-----|
| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Mark or Dominic, is there anything else that I need, that we need to do procedurally to make sure that this is done correctly or can this, is this ready to go over the wire subject to item number 4?

MR. CORDISCO: Well, there are a number of conditions.

MR. ARGENIO: I just said item number 4.

MR. CORDISCO: They're all in the resolution and at this point you're ready to adopt.

MR. ARGENIO: Are they essentially the same as what Mark has in the bullets?

MR. CORDISCO: Yes, they're the same and also provides the mechanism for the filing of the plat in phases, four sections and at this point you're ready to adopt a resolution, you will not be authorized to sign the final plat until those conditions have been met.

MR. ARGENIO: I understand.

MR. CORDISCO: One other since just let me remind the board the one thing that we have been doing it hasn't come up that often but for final approval, final approval unlike preliminary approval with preliminary approval you can extend or grant as many extensions as you see fit, with final approval--

MR. ARGENIO: Starts a clock.

MR. CORDISCO: Correct, and they're limited by state law to 360 days to submit a plat for final signature. And that's written in state law as being 180 days and then two 90 day extensions. So what we have been doing is granting both of those two 90 day extensions now so that they know actually on December 6 of 2008 they've got to have a plat signed by that time no later and

that way it's easier for them to know that that's the drop dead date and also it clears up this board's agenda because they don't have to come back asking for two 90 day extensions, that's in the resolution as well.

MR. ARGENIO: Okay, if anybody sees fit, I'll accept a motion we grant final approval subject to Mark's bullet number 4 which essentially are contained in the same sum and substance in the final resolution that Dominic has prepared.

MR. SCHLESINGER: Motion made.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer final approval to Meadowbrook Estates major subdivision subject to mark's item number 4 and the bullets contained therein and authorizing me to sign that final approval resolution which contains the two 90 day extensions, an 180 day extension. No discussion, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: I know you did a lot of work on this, I know you did, you guys don't know what they went through on this, two municipalities, it was--

MR. WINGLOVITZ: Actually got preliminary approval in Cornwall and annexed into New Windsor, we had two planning board processes, so it's a long time. Thank

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you very much for your time.

CREEK_VIEW_MOBILE_HOME_PARK_(07-32)

MR. ARGENIO: The application is for an existing mobile home park that proposes to reduce the number of units and rearrange the units to increase conformity of the site. Sir, can you tell us your name?

MR. GLYNN: My name is Arthur Glynn.

MR. ARGENIO: Tell us what you want to do here.

MR. GLYNN: There's an existing mobile home park on Walsh Avenue, used to be Fred Thompson's.

MR. ARGENIO: Need to look at both sheets.

MR. GLYNN: What we're proposing to do the trailer park as it was made originally was the trailers were kind of randomly placed in the park with no consideration to fire access or just being uniform in any manner whatsoever.

MR. ARGENIO: Which is drawing one of two, that's the existing location that is the original drawing?

MR. GLYNN: Yes, that's how it was, that's drawing number 1. So drawing number 2 that indicates the rearrangement of a mobile home park siting the trailers, we're reducing the number by 2 from 12 to 10 and just arranging it in a manner just a little bit more uniform, just more appealing I think.

MR. ARGENIO: So, Mike, this is, seems to be an improvement?

MR. BABCOCK: Oh, excellent improvement, major.

MR. ARGENIO: Do you know the site, Danny?

MR. GALLAGHER: Yes.

MR. GLYNN: We're also bringing in sewer into the trailer park which originally it wasn't, didn't have.

MR. ARGENIO: Is that shown on here?

MR. GLYNN: I believe not on that plan.

MR. ARGENIO: I think you need to show that on there. Mark's comments, overhead wires are depicted over some units, proper vertical separation units to wire should be verified if same does not exist, poles should be relocated and wire routes revised. Do you have that comment?

MR. BABCOCK: I just handed it to him.

MR. GLYNN: The utilities are going to go underground.

MR. ARGENIO: Well, that's good. Why did you depict them over some units?

MR. GLYNN: That's what's existing, there's still residents in some of the units.

MR. ARGENIO: My point is I'll answer my own question, the proposed drawing shows the overhead wires over some units, you're going to put the services underground, take that off the drawing.

MR. GLYNN: Okay, we've already had Central Hudson down to do a site visit.

MR. ARGENIO: Dan's familiar with the site and I'm not, that's good.

MR. SCHEIBLE: One story block building, is that the old body shop?

MR. GLYNN: That's already been redone. Have you been

by it? You won't recognize it.

MR. SCHEIBLE: Good.

MR. ARGENIO: From Mark's comments, I recommend the applicant consider it some time in the future that the lots be combined or lot line change be proposed to place the front commercial site on its own lot. What are you going to do about that?

MR. GLYNN: We were going to combine the properties.

MR. EDSALL: My reason for giving you an option and I don't think it needs to be part of this application but you should think about it is that you may not want to have the commercial building on the same lot as the mobile home park because you've already got two lots, you could just do a lot line change reorient it and separate those two uses, that way you could technically own them under two corporations.

MR. ARGENIO: Does he have to do that?

MR. EDSALL: He doesn't have to because when we see things we try to clean it up, I'm suggesting that you consider it, that would be just another application at some time in the future.

MR. GLYNN: That's a good consideration.

MR. ARGENIO: Where do they put their garbage?

MR. GLYNN: Right now New Windsor picks it up, they bring it out to the curb.

MR. ARGENIO: Trash cans, does that work?

MR. BABCOCK: Yes.

MR. EDSALL: Take that comment off. There's a comment

from the fire inspector's office that has to be paved so I think that apparently is something they're looking for.

MR. ARGENIO: That's a tough pill to swallow, I'm going to tell you something, he's here cleaning up a mess and that's a tough pill to swallow and I'm in the blacktop business.

MR. EDSALL: The other comment they're looking for is a turnaround and I just don't think, I think they thought, might of thought that they were parking spaces, I don't know how they misread it but it's, the turnaround is the best they can do.

MR. ARGENIO: I don't have a problem with that unless somebody's has a problem with that. Do you have any problem with that?

MR. SCHEIBLE: This has been an eyesore for years and years and years.

MR. ARGENIO: You're familiar with it, sure seems to me it's a step up.

MR. EDSALL: Mr. Chairman, one other item that, Mr. Chairman, there was a question on the utilities, the utilities Mr. Glynn has been working with Mr. Agido to try to bring this into compliance with the current downtown law and providing sewer and that's in progress, he has been bringing that line in with John's acceptance, I asked him what he needed from the health department because the mobile homes fall within their jurisdiction, Art brought in a copy of the letter and apparently what we're looking for is him to fill out a notice of intent to construct, enlarge or convert a facility. Well, he's doing none of the three, it's existing, he's maybe making it smaller and he's not converting it to anything but he's probably going to fill out a form so it appears to me that there's no,

other than updating as it may be, I don't see that they're asking for anything different.

MR. SCHEIBLE: On the new map there are these new units, what about--

MR. GLYNN: I don't think they've been moved.

MR. SCHEIBLE: I think George Washington slept in some of those because they would still be an eyesore if you took these same units you had and moved them over to there.

MR. GLYNN: No, if we hooked them up to move them they'd just fall apart.

MR. ARGENIO: Anybody else? I'll accept a motion that we assume lead agency under the SEQRA process.

MR. SCHLESINGER: I'll make that motion.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency under the SEQRA process.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: About the public hearing, I certainly know how I feel about this, chew on it a little bit, we'll get back to it. Anybody sees fit, I'll accept a motion we declare negative dec under the SEQRA process.

MR. SCHLESINGER: So moved.

MR. GALLAGHER: Second it.

MR. ARBENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative dec under the SEQRA process for Creek View Mobile Home.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: What about the public hearing? I'll go to this side this time, Mr. Scheible and Mr. Brown, how do you guys feel about it?

MR. SCHEIBLE: I'm looking at the neighbors.

MR. ARGENIO: It's Montfort on one side, it's the sewage pump station across the street, is that right, and what's on the other side, the railroad tracks, I guess.

MR. SCHEIBLE: S.C. Davis Boiler Works.

MR. BABCOCK: I think the neighbors love this guy, if you see the building that he's got now just to the building that used to be there, what he's doing is totally amazing really.

MR. SCHEIBLE: I see no reason.

MR. BROWN: I see no reason.

MR. GALLAGHER: It's all an improvement.

MR. ARGENIO: I'll accept a motion we waive it.

MR. SCHLESINGER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded to waive the public hearing.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Sir, you have a couple things to do, I don't think there's any heavy lifting that we've thrown at you here, I don't see this going over the top tonight. It's a good set of plans, it's not a crummy set of plans, he did a nice job. There's some very minor clean-up things that you need to do here, if you can do them, I think you could tell the tone of the planning board looking very favorably on the project. Neil has a question.

MR. SCHLESINGER: You know, clean-up is great and I'm not familiar with the site but everybody seems to think that you're going, you know, from a single to a home run which is great, can't you do anything more about the parking?

MR. ARGENIO: He's concerned specifically about unit number 6 and 8, where do those folks park?

MR. SCHLESINGER: You have 1, 2, 3, 4 parking spots allocated here, although this is not allocated for parking, you know, people are going to park there

anyway, I don't know what this is here, why don't you just, you know, these people have parking in their driveways.

MR. EDSALL: Neil, the two spaces for number 6, the two spaces toward Walsh Road are for 6 so 8 and 7 share those four.

MR. SCHLESINGER: So you're missing 7 and 8.

MR. EDSALL: Seven and eight share the four spaces.

MR. SCHLESINGER: So there's no guest parking?

MR. EDSALL: No.

MR. ARGENIO: Two spots per unit.

MR. EDSALL: They're getting two spots per unit which is probably more than they've got now.

MR. BABCOCK: There's none.

MR. SCHLESINGER: Where the four spots are, you have the plan in front of you?

MR. EDSALL: Yes.

MR. SCHLESINGER: Going from Walsh Road away from Walsh Road you have 1, 2, 3, 4, why can't we make 5 or 6?

MR. EDSALL: Once that pole's gone, you can add a couple more there.

MR. GLYNN: No problem.

MR. SCHLESINGER: It's an easy thing to do, you don't want people fighting.

MR. ARGENIO: Dan, anything else? Sir, do the clean-up

issues, we made a lot of headway, waived the public hearing.

MR. GLYNN: Fantastic, thank you.

MR. ARGENIO: Show the sewer, get the overhead wire taken off there, get it to Mark, he can do a quick review at the workshop. Thank you very much. That issue with the paving you've got to work that out with the fire inspector if he's requiring blacktop you better go see him or put the blacktop in. As I said, I'm in the blacktop business.

MR. GLYNN: That would help if we can put that off a year.

MR. ARGENIO: Have a good night.

ORLEANS_HOMEBUILDERS_LOT_LINE_CHANGE_(07-30)

MR. ARGENIO: Orleans Homebuilders, lot line change, former Middle Earth major subdivision. Application proposes a lot line change between the two referenced tax lots which are number 26 in the middle of the subdivision and the drainage district lot. Sir, what's your name?

MR. DATES: Justin Dates.

MR. ARGENIO: This is near my house on the top of the hill, the one where we had to leave the buffer zone along Station Road.

MR. GALLAGHER: Where they wanted to cut down the woods and we asked them not to?

MR. ARGENIO: Same one. I'm going to speak for a second and if I miss something cause I think I have an understanding of this, if I miss something then I want you to chime in. It's my understanding that this, correct me if I'm wrong, what's driving this is they showed water retention and water quality ponds on the site which were approved by Edsall's SWPPP people, they meet the requirements, they went to the DEC, they meet the DEC's requirements, DEC subsequently showed up on the site post beginning of construction and they said no, we think this pond is not big enough, we want the pond bigger. And they said make the pond bigger and the owner said well, how do I make the pond bigger, I don't have enough property in the drainage district. Is that correct?

MR. EDSALL: Correct.

MR. ARGENIO: To make the property bigger and the DEC said we don't care what you do, work it out. It's my impression that the owner said we have a large lot

along the drainage district where the pond is, we're going to take X acres, a third, a half, one acre from that lot and we'll give you the pond that you need. Is that close?

MR. DATES: Yes.

MR. ARGENIO: How close is it?

MR. DATES: Basically, the proposed pond doubled in size from the existing plans. So in doing so we had to enlarge the lot that the pond is encompassed.

MR. ARGENIO: Can I ask you a question and I asked Mark and he didn't know, he didn't have the exact information, what's the DEC's logic, hydrologic calculations and flow calculations dictate that something should be X, what's the logic in them coming subsequent to construction beginning and saying no, we don't or is it not as arbitrary and I described it?

MR. DATES: I think when they came out onto this site there were some drainage issues, there's quite a large wetlands back here under the Army Corps. jurisdiction but there was some issues with runoff and the wetlands and they wanted to mitigate.

MR. ARGENIO: Bet the wetlands were muddy.

MR. DATES: Right.

MR. ARGENIO: Contractor was sloppy or not, the wetlands are muddy and they said do more mitigation.

MR. DATES: Yes.

MR. ARGENIO: That's a good answer.

MR. SCHLESINGER: Is lot number 26 a proposed dwelling lot?

MR. DATES: Yes.

MR. EDSALL: It ends up being shaped like a boomerang.

MR. SCHLESINGER: It's not affecting any setbacks or anything like that.

MR. EDSALL: It meets the zoning but it's an odd shaped lot.

MR. SCHLESINGER: There hasn't been any house being constructed there or anything yet, has there?

MR. DATES: Not on this lot.

MR. ARGENIO: I drove back there last week, nothing.

MR. DATES: It was approved by DEC.

MR. ARGENIO: Anybody sees fit I will accept a motion that we declare ourselves lead agency.

MR. SCHLESINGER: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency for the Woodside Crossing lot line change. If there's no further discussion, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Public hearing I'll go to my left this time. Danny, you want to give us some thoughts on this? This is in the back, Army Corps. wetlands and there's been no lots built, no homes built on the lots yet with the exception of I think the brand new home up on the top and I think they have a couple foundations started down the road.

MR. DATES: Yes, they have the model home right up on Brandy Wine and Station and then I believe there's two or three coming down Brandy Wine that they're working on.

MR. ARGENIO: And this is all the way in the back beyond Brandy Wine?

MR. DATES: This is the intersection of Brandy Wine and Forrest.

MR. BABCOCK: They pretty much on all the lots they would be sending letters to themselves.

MR. GALLAGHER: They're not lots that have been sold off yet.

MR. BABCOCK: No.

MR. GALLAGHER: No problem.

MR. SCHLESINGER: Absolutely not.

MR. SCHEIBLE: No.

MR. BROWN: No.

MR. ARGENIO: I'll accept a motion waiving the--

MR. SCHLESINGER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded to waive the public hearing for Orleans Homebuilders. No further discussion, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Accept a motion we declare negative dec.

MR. SCHLESINGER: Motion made.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare negative dec under the SEQRA process for the Orleans subdivision on Station Road. If there's no further discussion, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: You guys have anything else on this, Hank, Howard, Danny?

MR. GALLAGHER: No.

MR. SCHLESINGER: No.

MR. ARGENIO: I'll accept a motion for final.

MR. SCHLESINGER: Motion made for final approval.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer final approval for the lot line change for Orleans Homebuilders on Station Road. If there's no further discussion from the board members, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Thank you, sir.

DISCUSSION

NEW_WINDSOR_SENIOR_HOUSING

MR. ARGENIO: There's one discussion item that came up very recently, as recently as today and Mark is going to address that for the benefit of the members, if you would, Mr. Edsall.

MR. EDSALL: Yes, the New Windsor Senior Housing project, Warwick properties, the one in Vails Gate application 07-01 Mandelbaum, that application is still before the board, still under review. One procedural item that the board was hesitant to move forward on because of some open items such as drainage and storm water and such impacts was the negative dec, that negative dec is a necessary step for the Town Board to move forward for their permit so their board can move forward.

MR. ARGENIO: We couldn't do the negative dec because they hadn't finished drainage and SWPPP.

MR. EDSALL: They had submitted reports but we had--

MR. ARGENIO: They were poorly put together.

MR. EDSALL: I'll accept whatever way you characterize them but they weren't right. In any case, the applicant has been working with our office and has made a couple revisions, at this point, I feel comfortable that the SWPPP that's prepared is responsive to all our comments and is in conformance with the state guidelines. The other issue of the storm water with the box culvert capacity was a sticking issue that we had significant objection to, their proposed box culvert had significantly less capacity than the upstream culverts which they'd only be hurting themselves because they would end up looking like the news stories with flooded houses.

MR. ARGENIO: They'd need flippers, masks and snorkels for the seniors.

MR. EDSALL: We explained where there was a problem, they have reworked their calculations so that's been addressed. I think at this point those being the issues that were prohibiting this board from authorizing the negative dec to be prepared and signed, those are behind us, I'm suggesting tonight that you authorize the negative dec to be finalized. Dom has that written and authorizes the chairman to sign it that so that you can then forward it to the Town Board so they can move on.

MR. ARGENIO: Counselor?

MR. CORDISCO: That's absolutely correct, we're doing a coordinated review, the Town Board is going to rely on the negative dec done by this board and they can't act on the special use permit until negative dec is finalized.

MR. ARGENIO: Guys have any questions?

MR. EDSALL: Timing wise, guys, the mechanism is the Town Board's meeting is before yours as normal the next month so it makes it convenient that the Town Board doesn't get all messed up with timing.

MR. SCHLESINGER: And the public hearing.

MR. EDSALL: You still have the public hearing and on January 16 this gets SEQRA out of the way.

MR. ARGENIO: If you guys remember this was a big hurdle, this thing had been submitted and rejected and submitted and rejected I don't know how many times, Mark, four?

MR. EDSALL: At least three or four.

MR. ARGENIO: Any thought, Danny?

MR. GALLAGHER: No.

MR. BROWN: No.

MR. ARGENIO: I'll accept a motion that we declare negative dec on project number 07-01 senior housing in the Town of New Windsor off Route 32 behind Rite-Aid.

MR. SCHLESINGER: Motion made.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer negative dec to the project number 07-01. If there's no further discussion, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

THE_GROVE

MR. ARGENIO: Mike, do you have anything else?

MR. EDSALL: The K. Hovnanian letter, do we need to discuss that?

MR. ARGENIO: If you want to mention it briefly, I think it's a non-issue so everybody is keyed into it. Go ahead, mention it.

MR. EDSALL: There's been some ongoing discussions with The Grove that they're looking to filing their condominium plan and, you know, again, I'm not up to date on the specifics because I'm trying to get my arms around, what their attorney is trying to explain to me I might just be thick but apparently, they need plans stamped by this board which are plans that are different than the site plans that you have already stamped and those plans, the set that was presented to me requesting your stamp of approval includes floor plans and building plans which this board has number 1 very rarely even asked to see and number 2 has never stamped, so just to put into the record that it is an ongoing issue we'll try to work with them.

MR. ARGENIO: Mark had asked me about this and my response was that I was kind of almost dumbfounded, I mean, certainly the stamp of the planning board of the Town of New Windsor is not something that should be taken lightly or thrown around, somebody dropped their plans in the mud, well, just bring them by and we'll stamp them, that's not going to happen. So it kind of befuddles me why they're requesting the additional stamped plans so I said to Mark unless there's a reason certainly if there's a good reason we'll stamp another set of plans.

MR. SCHEIBLE: A very good reason.

MR. ARGENIO: You were chairman, how many times does that come up, I know you stamped a set of plans but we want to get some more stamped plans.

MR. BABCOCK: I don't think they're personally asking for them, they're being, they're being asked by another agency. They don't realize that that's not our policy, so they're probably in a catch 22 situation.

MR. EDSALL: I'll try with Dom's assistance getting to the bottom of it and if necessary I'll call the county and ask them what the heck are you asking for.

MR. ARGENIO: Get ahold of them, find out what's the real reason, if it's a good reason.

MR. EDSALL: One thing that I did seem to grasp to a minor extent was that the plans that they submitted to this board, the font size or the text size, number of sheets and match lines the County Clerk's Office took objection to so they want to try to redraft them in a different scale as long as it's the same plan in a different scale I at least would feel confident coming back to say will you stamp a different version of the same plan but other than that I really don't know what to do for them.

MR. CORDISCO: This is not a subdivision, subdivision maps of course have to be filed in the County Clerk's Office but even though this is a site plan, it's a condominium and in order for the condominium to become effective and in order for them actually to start selling units they have to file the condominium together with certain plans in the County Clerk's Office, the County Clerk is saying they're only going to accept those plans if they're signed by the Town of New Windsor.

MR. SCHLESINGER: They've sold units already?

MR. CORDISCO: They have entered into a contract but they haven't closed.

MR. BABCOCK: County's saying this is what we want, they're saying--

MR. EDSALL: We'll try to figure it out.

2008_SCHEDULE

MR. ARGENIO: You guys have the schedule for next year, we'll look to adopt this at the next meeting unless somebody has a major conflict and on that January 16 meeting if everybody could come maybe 15 minutes early we'll have a discussion and appoint or not reappoint Mr. Edsall and Mr. Cordisco. Motion to adjourn.

MR. SCHLESINGER: So moved.

MR. BROWN: Second it.

ROLL CALL

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|-----------------|-----|
| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. GALLAGHER | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

Respectfully Submitted By:

Frances Roth
Stenographer